



03560.002025.1

PATENT APPLICATION

TECH CENTER 1600/2900

APR 08 2003

RECEIVED

1631

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

TADASHI OKAMOTO, et al.

Application No.: 09/931,048

Filed: August 17, 2001

For: PROCESS FOR DETECTING
TARGET NUCLEIC ACID,
PROCESS FOR
QUANTIFYING THE SAME,
AND PYRYLIUM COMPOUND
FOR CHEMILUMINESCENCE
ANALYSIS

Examiner: Ardin H. Marschel

Group Art Unit: 1631

#4
Plunkett
4/8/03

March 27, 2003

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Sir:

In response to the Office Action dated February 27, 2003 (Paper No. 6) and to facilitate search purposes, Applicants elect a chemiluminescent compound represented by formula (1) of Claim 12, wherein:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

March 27, 2003
(Date of Deposit)

Dennis A. Duchene, Reg. No. 40,595

Name of Attorney for Applicant

Signature Date of Signature 3/27/03

X is O, S, Se or Te;

two of R¹, R² and R³ are independently a dimethylamino- or diethylamino-substituted or unsubstituted aryl group;

and the other R¹, R² or R³ is a hydrogen or unsubstituted alkyl group.

The election is made without traverse.

In the Office Action, the Examiner noted that all the pending claims, 1-13, are generic to various species of chemiluminescent compounds. Accordingly, Applicants submit that Claims 1-13 read on the above elected representative chemiluminescent compound.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,


Attorney for Applicants

Registration No. 40,595

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200